



City of Portland, Oregon
Bureau of Development Services
Land Use Services

FROM CONCEPT TO CONSTRUCTION

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Date: August 26, 2014
To: Interested Person
From: Tim Heron, Land Use Services
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NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has a **approved** proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 14-167086 HR – NEW DORMER AND SKYLIGHT

GENERAL INFORMATION

Applicant: Michael Howells, Howells Architecture
4133 SE 34th Avenue | Portland, OR 97202

Owner: Brian Lindstrom |
2440 NE 25th Avenue | Portland, OR 97212-4836

Site Address: 2440 NE 25th Avenue

Legal Description: BLOCK 3 LOT 1-3, BRAZEE ST ADD
Tax Account No.: R098900500
State ID No.: 1N1E25CB 06000
Quarter Section: 2833
Neighborhood: Irvington, contact Dean Gisvold at 503-284-3885.
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-841-5032.

District Coalition: Northeast Coalition of Neighborhoods, contact Claire Adamsick at 503-388-9030.

Other Designations: Contributing resource in the Irvington Historic District, which was listed in the National Register of Historic Places on October 22, 2010

Zoning: R5, Single-dwelling residential with Historic Resource Overlay
Case Type: HR , Historic Resource Review
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant seeks Historic Resource Review approval to construct a dormer, which includes four wood, operable sash casement windows, on the east elevation of a Contributing property within the Irvington Historic District. The applicant also seeks to add a new skylight to the roof opposite the proposed dormer facing west towards NE 25th Avenue. Historic Resource Review approval is required for non-exempt exterior alterations within the Historic District.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are:

- 33.846.060 G Other Approval Criteria

ANALYSIS**Site and Vicinity:**

The subject property, a two-and-a-half story stucco-clad Craftsman Style house with Italian Renaissance influences, was built in 1913. It is centered on a 100' x 75' lot. The National Register of Historic Places documentation for the Irvington Historic District evaluates the building as a contributing resource within the historic context.

Platted in the late Nineteenth Century, today's Irvington Historic District represents the first additions to Portland that employed restrictive covenants from the outset. These included the exclusion of most non-residential uses from the interior of the neighborhood, and where non-residential uses were allowed, such as the fire station and the telephone exchange, the buildings were purposely disguised to appear more residential in character. Other deed restrictions excluded minority groups, established uniform front setbacks, and required minimum expenditure on new buildings. The area developed generally from southwest to northeast and its growth was greatly influenced by the installation of streetcar lines that introduced an easy commuting option to downtown.

The contributing resources in Irvington range in design character from expressions of the late Victorian Era styles, especially Queen Anne, through the many Period Revival modes of the early decades of the Twentieth Century, to a few early modernist examples. There is also a wide diversity in the sizes of lots and houses. In terms of the streetscape, the numbered north-south avenues in Irvington vary dramatically in width, and they mostly form rather long block faces which the houses generally face. The named east-west street block faces are more consistent in length, almost all being traditional 200' Portland blocks. All are lined with mature street trees. Original development in many cases included garages or other accessory structures, typically facing side streets on corner lots and accessed by a variety of driveway types on mid-block sites. Garages that were added within the historic period, were sometimes built at the sidewalk and/or out of architectural character with the house.

Zoning:

The Residential 5,000 (R5) single-dwelling zone is intended to preserve land for housing and to provide housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing. Minimum lot size is 3,000 square feet, with minimum width and depth dimensions of 36 and 50 feet, respectively. Minimum densities are based on lot size and street configuration. Maximum densities are 1 lot per 5,000 square feet of site area.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

Land Use History: City records indicate that prior land use reviews include the following:

- LU 14-126176 HR: Approval for the installation of new, wood guardrail in the three openings of a roofed, street-facing balcony structure.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **July 17, 2014**. No Bureaus have responded with issues or concerns about the proposal.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **July 17,**

2014. One written response was received from either the Neighborhood Association or notified property owners in response to the proposal.

- Dean Gisvold, on behalf of the Irvington Community Association Land Use Committee, wrote on August 01, 2014 with no objections to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846.060 - Historic Resource Review

Purpose of Historic Resource Review

Historic Resource Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Resource Review Approval Criteria

Requests for Historic Resource Review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is within the Irvington Historic District and the proposal is for non-exempt treatment. Therefore Historic Resource Review approval is required. The approval criteria are those listed in *33.846.060 G – Other Approval Criteria*.

Staff has considered all guidelines and addressed only those applicable to this proposal.

33.846.060 G - Other Approval Criteria

- 1. Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.
- 2. Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.
- 7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.
- 8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.
- 9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.
- 10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

Findings:

Note: The Dormer Addition and Skylight are addressed separately.

Dormer: The house is classified as a contributing resource in the Irvington Historic District. The historic character of the Irvington Historic District will not be adversely affected by the proposed dormer addition by account of its modest scale and compatible design consistent with the structure and its location on the east facing roof. Through the placement of the dormer on the roof, which is not facing adjacent streets NE 25th Avenue (to the west) n NE Brazee Street (north), the end construction shall be minimally conspicuous from public view.

The alterations are compatible with the massing of the subject house and the neighboring houses. The proposed new dormer also achieves compatibility, both with the house itself and the historic context, by taking cues of mass and design from the rest of the house – notably matching the slope of the existing roof and the location of the proposed windows within the dormer in relation to the eaves.

And, finally, the proposed design is integrated into the subject house through the inclusion of wood operable casement windows and new roofing, siding and trim to match existing. The proposed dormer is a modest addition and will not create a false sense of historic development, or adversely impact the character of the historic resource. *These criteria are met.*

Skylight: The proposed location of the skylight on the west-side roof, facing NE 25th Avenue, is a non-historic and conjectural feature that would be clearly visible from street. *Therefore, this criterion is not met and the street facing skylight is not approved.*

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. The dormer portion of this proposal meets the applicable Historic Resource Review criteria and therefore warrants approval. The street facing a skylight however, being a conjectural and visible addition from the public rights of way is denied.

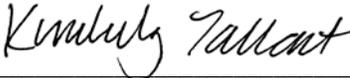
ADMINISTRATIVE DECISION

Approval of a new dormer on the east side roof of a Contributing structure in the Irvington Historic District, per the approved site plans, Exhibits C-1 through C-6, signed and dated August 22, 2014, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.6. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 14-167086 HR."

Denial of the proposed west side, street facing, skylight.

Staff Planner: Tim Heron

Decision rendered by:  **on August 22, 2014.**
By authority of the Director of the Bureau of Development Services

Decision mailed August 26, 2014

Procedural Information. The application for this land use review was submitted on June 9, 2014, and was determined to be complete on June 16, 2017.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the

application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on June 9, 2014.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: November 12, 2014.**

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Recording the final decision.

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **August 26, 2014.** The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

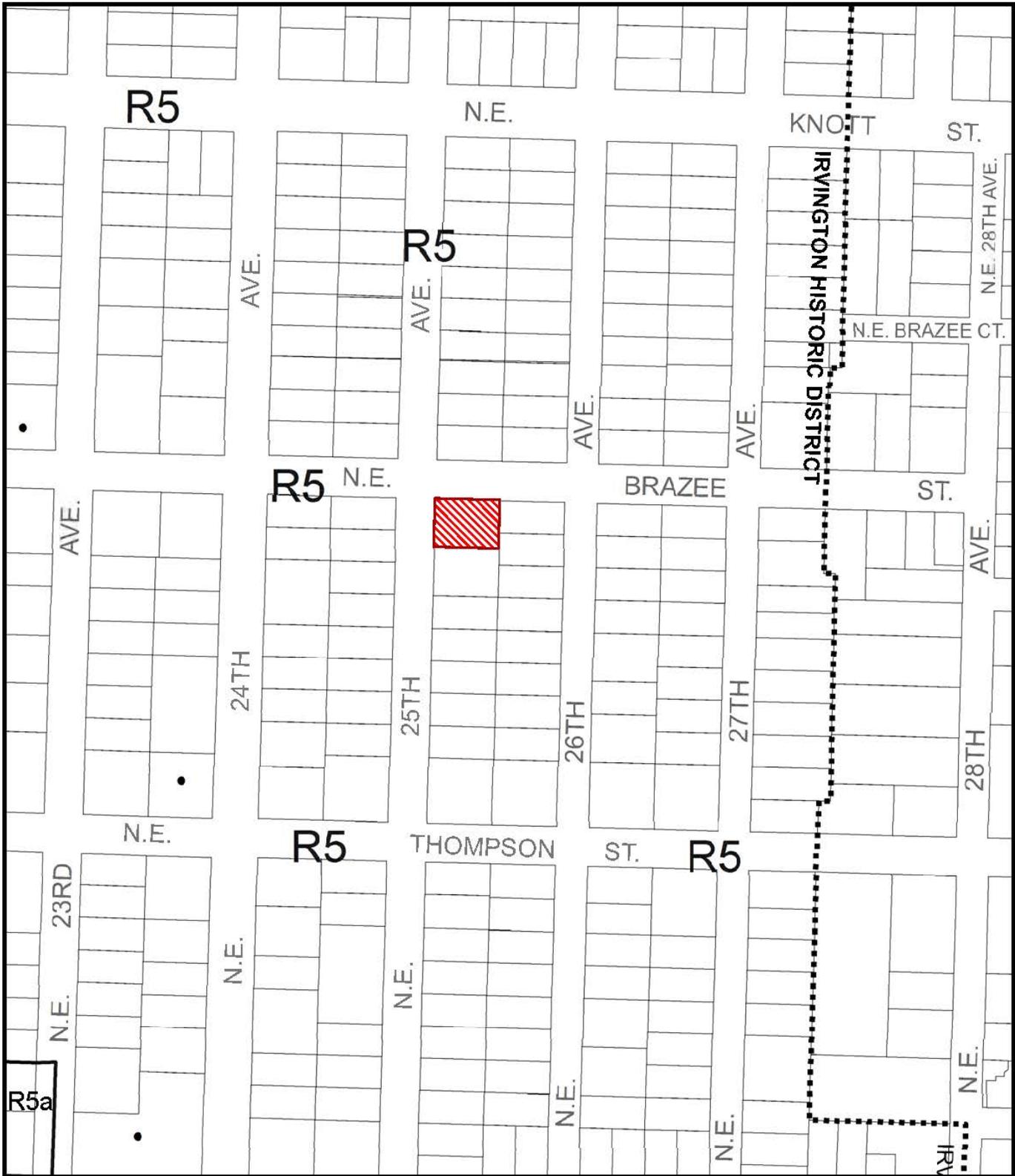
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 - 1. Narrative
 - 2. Original drawing submittal
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Cover Sheet
 - 2. Site Plan/Roof Plan (attached)
 - 3. East Elevation (attached)
 - 4. Partial Wall Section (attached)
 - 5. Reflected Ceiling Plan
 - 6. Cabinetry Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: None Received
- F. Correspondence:
Dean P. Gisvold, on behalf of the Irvington Neighborhood Association, received August 1, 2014; no objections
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Application Letter: dated July 2, 2014.

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING



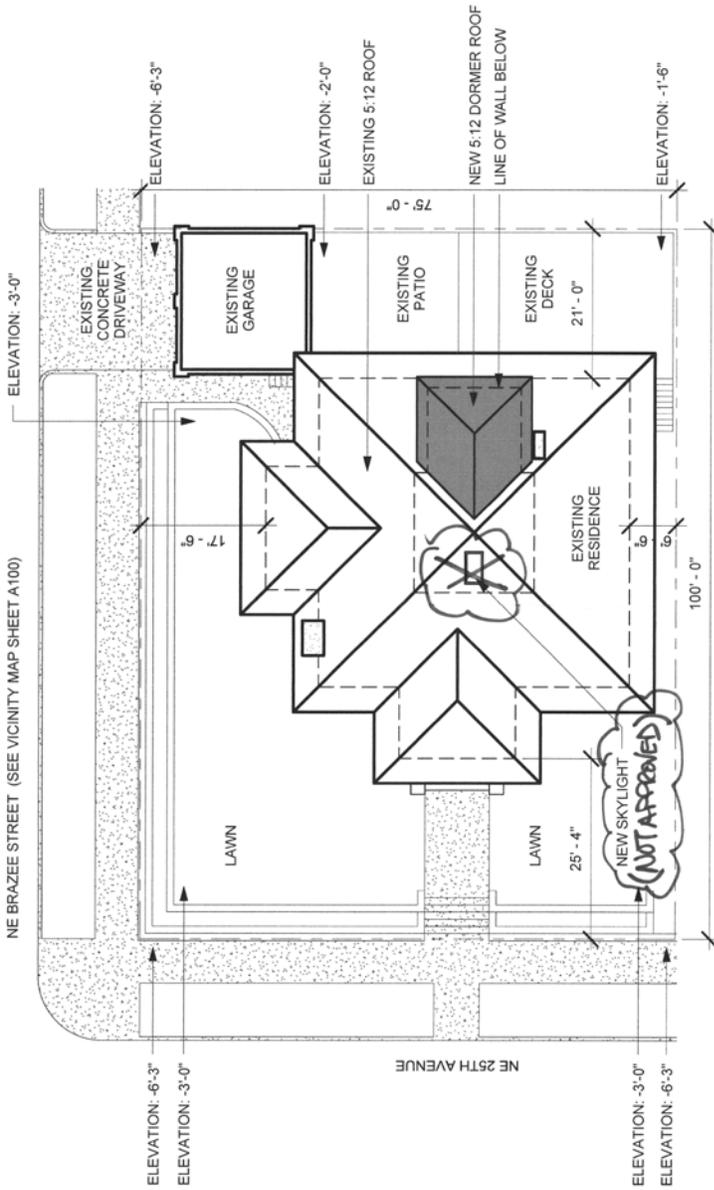
Site



NORTH

This site lies within the:
IRVINGTON HISTORIC DISTRICT

File No. LU 14-167086 HR
 1/4 Section 2833
 Scale 1 inch = 200 feet
 State_Id 1N1E25CB 6000
 Exhibit B (Jun 10,2014)



Approved
 City of Portland
 Bureau of Development Services
 Planner B. D. H.
 Date 8.22.14
 * This approval applies only to the reviews requested and is subject to all conditions of approval.
 Additional zoning requirements may apply.

NOTE: ELEVATION 0'-0" = EXISTING MAIN FLOOR FINISH FLOOR
 LOT AREA: 7,500 S.F.
 IMPERVIOUS SURFACE AREA: NO CHANGE TO EXISTING IS PROPOSED

LU 14-167086 HR EXH. C.2

STRAYED - LINDSTROM DORMER ADDITION
 2440 NE 25TH AVENUE
 PORTLAND, OR 97212

SITE / ROOF PLAN

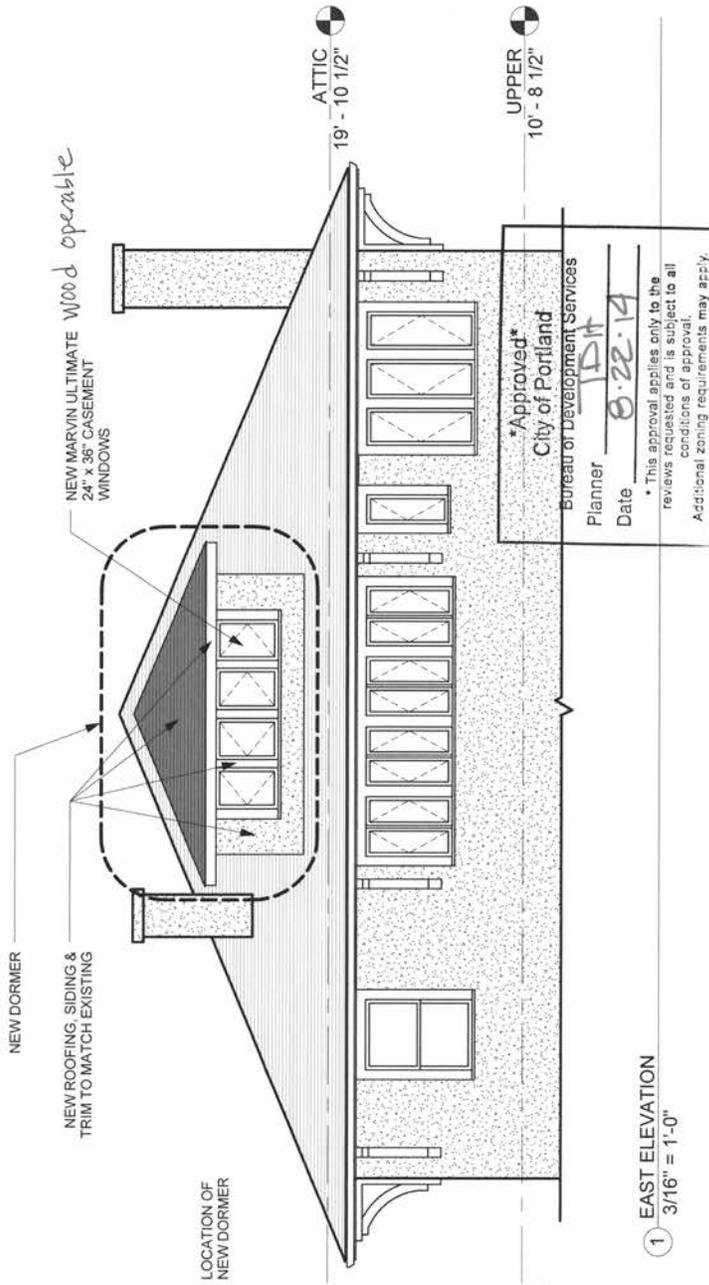
Date: 06.03.2014
 Scale: 1/16" = 1'-0"

HOWELLS ARCHITECTURE + DESIGN LLC 4133 SE 34TH AVENUE PORTLAND OR 97202 TEL 503 869 3715

A101



EXISTING RESIDENCE - VIEWS FROM NORTHEAST



1 EAST ELEVATION
3/16" = 1'-0"

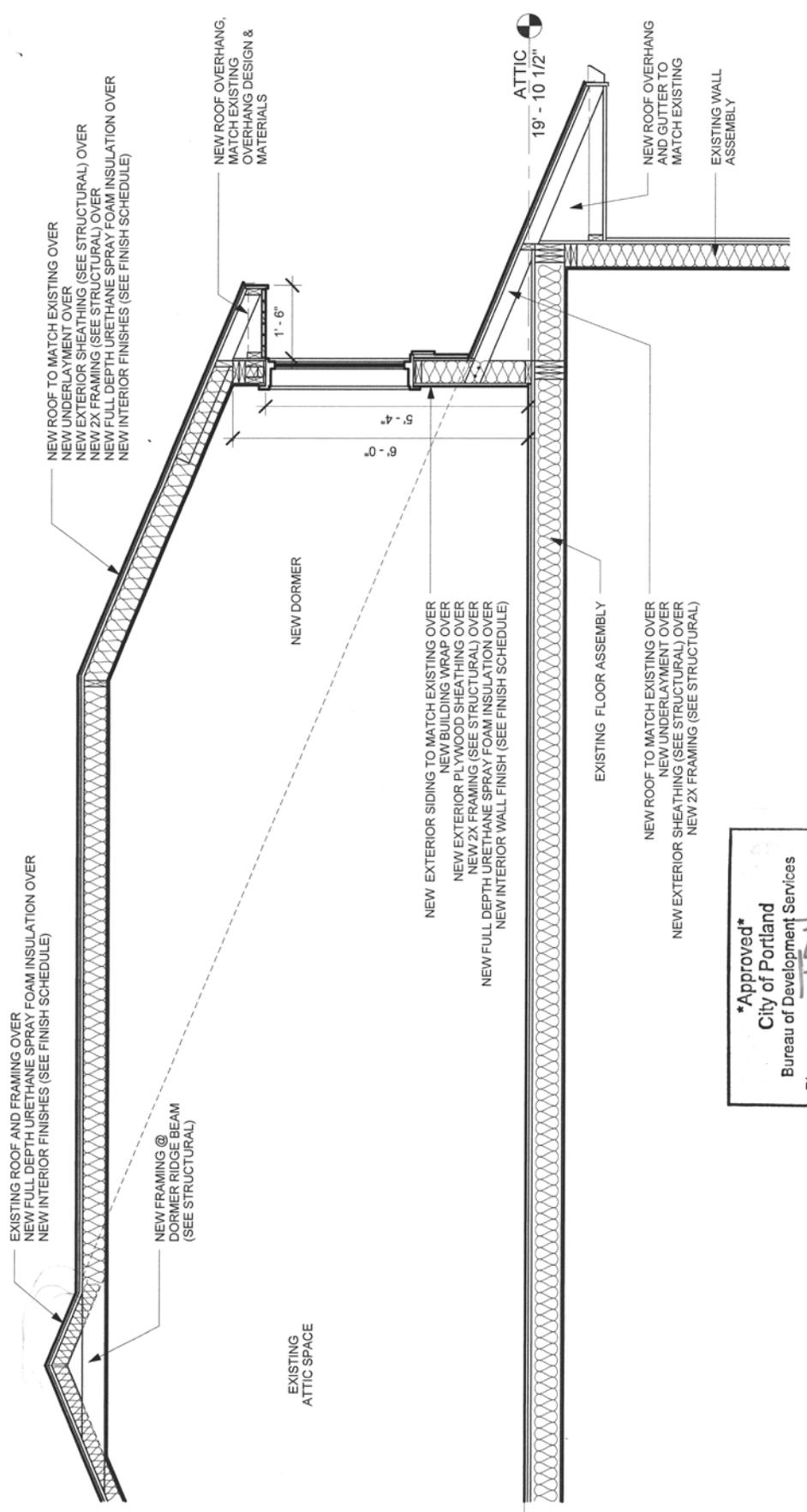
* Approved*
City of Portland
Bureau of Development Services
Planner JDM
Date 0-22-14
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

EXTERIOR ELEVATIONS
STRAYED - LINDSTROM DORMER ADDITION
2440 NE 25TH AVENUE
PORTLAND, OR 97212

Date: 06.03.2014
Scale: 3/16" = 1'-0"

A107

HOWELL S. ARCHITECTURE + DESIGN | C. 4133 SF 34TH AVENUE PORTLAND, OR 97202 TFI 503.860.3715



EXISTING ROOF AND FRAMING OVER
 NEW FULL DEPTH URETHANE SPRAY FOAM INSULATION OVER
 NEW INTERIOR FINISHES (SEE FINISH SCHEDULE)

NEW FRAMING @
 DORMER RIDGE BEAM
 (SEE STRUCTURAL)

NEW ROOF TO MATCH EXISTING OVER
 NEW UNDERLAYMENT OVER
 NEW EXTERIOR SHEATHING (SEE STRUCTURAL) OVER
 NEW 2X FRAMING (SEE STRUCTURAL) OVER
 NEW FULL DEPTH URETHANE SPRAY FOAM INSULATION OVER
 NEW INTERIOR FINISHES (SEE FINISH SCHEDULE)

NEW ROOF OVERHANG,
 MATCH EXISTING
 OVERHANG DESIGN &
 MATERIALS

EXISTING
 ATTIC SPACE

NEW DORMER

6'-0"

5'-4"

NEW EXTERIOR SIDING TO MATCH EXISTING OVER
 NEW BUILDING WRAP OVER
 NEW EXTERIOR PLYWOOD SHEATHING OVER
 NEW 2X FRAMING (SEE STRUCTURAL) OVER
 NEW FULL DEPTH URETHANE SPRAY FOAM INSULATION OVER
 NEW INTERIOR WALL FINISH (SEE FINISH SCHEDULE)

ATTIC
 19' - 10 1/2"

EXISTING FLOOR ASSEMBLY

NEW ROOF TO MATCH EXISTING OVER
 NEW UNDERLAYMENT OVER
 NEW EXTERIOR SHEATHING (SEE STRUCTURAL) OVER
 NEW 2X FRAMING (SEE STRUCTURAL)

NEW ROOF OVERHANG
 AND GUTTER TO
 MATCH EXISTING
 EXISTING WALL
 ASSEMBLY

Approved
 City of Portland
 Bureau of Development Services
 Planner JJDH
 Date 8-22-14

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

PARTIAL WALL SECTION

STRAYED - LINDSTROM DORMER ADDITION
 2440 NE 25TH AVENUE
 PORTLAND, OR 97212

Date: 06.03.2014
 Scale: 1/2" = 1'-0"

A108

HOWELLS ARCHITECTURE + DESIGN LLC 4133 SE 34TH AVENUE PORTLAND OR 97202 TEL 503.869.3715

LU 14-167086 HR. EXH.C.4